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July 8, 2005

Docket No. 05-015-1
Regulatory Analysis and Development
PPD, APHIS, Station 3C71
4700 River Road Unit 118
Riverdale, MD 20737-1238

To Whom This May Concern:

The following comments are made in response to Docket No. 05-015-1 and address the specific questions contained in the Notice of Availability of a Draft Strategic Plan and Draft Program Standards for the National Animal Identification System.

Sincerely,

CHARLES H. BRONSON
COMMISSIONER OF AGRICULTURE

A handwritten signature in black ink that reads "Thomas J. Holt". The signature is written in a cursive, flowing style.

Thomas J. Holt, DVM
State Veterinarian, Director
FDACS, Division of Animal Industry

TJH/jwg

Attachment

The Draft Strategic Plan calls for making the entire system mandatory by January 2009. Is a mandatory identification program necessary to achieve a successful animal disease surveillance, monitoring, and response system to support Federal animal health programs? Please explain why or why not.

COMMENTS:

A mandatory system should ultimately provide the most complete identification and animal tracking system for disease control or management and the 2009 timeframe seems a reasonable target date provided continued funding and systems development remains on track. There is understandable support for a voluntary system to continue which allows some level of confidentiality while enjoying growth driven by market incentives and industry adoption as a result of added value.

In the current Draft Strategic Plan, the NAIS would require that producers be responsible for having their animals identified before the animals move to a premises where they are to be commingled with other animals, such as a sale barn. At what point and how should compliance be ensured? For example, should market managers, fair managers, etc., be responsible for ensuring compliance with this requirement before animals are unloaded at their facility or event? Please give the reasons for your response.

COMMENTS:

Identification of animals prior to moving to a first point of concentration is a “sticking point” with many producers who may be limited by herd size or handling facilities; and with secondary handlers such as markets who may feel the burden is being placed on them by this requirement. All USDA approved livestock markets are under the supervision of USDA or state regulatory personnel who could ensure compliance providing a satisfactory program is designed to create economic incentives for markets or other third party providers to properly identify animals prior to changing ownership. Fairs and exhibitions should be able to make proper identification part of the requirements for entry and monitor compliance through currently established channels.

In regard to cattle, individual identification would be achieved with an AIN tag that would be attached to the animal’s left ear. It is acknowledged that some producers do not have the facilities to tag their animals; thus, the Draft Program Standards document contains an option for tagging sites, which are authorized premises where owners or persons responsible for cattle could have the cattle sent to have AIN tags applied. Do you think this is a viable option, i.e., can markets or other locations successfully provide this service to producers who are unable to tag their cattle at their farms? Please give the reasons for your response.

COMMENTS:

Yes, we believe third party providers or vendors can achieve proper identification of animals in compliance with the program if adequate economic incentives are present to gain the desired response. This identification will ultimately become a recognized “cost of doing business” or cost of production.

The current Draft Strategic Plan does not specify how compliance with identification and movement reporting requirements will be achieved when the sale is direct between a buyer and seller (or through their agents). In what manner should compliance with these requirements be achieved? Who should be responsible for meeting these requirements? How can these types of transactions be inputted into the NAIS to obtain the necessary information in the least costly, most efficient manner?

COMMENTS:

Again, third party providers can adequately maintain compliance for identification by passing the cost on to the producer or original owner of the cattle. This is an area where opportunity for GIN (group lot identification) might be allowed for cattle when the first opportunity for individual handling and identification of the cattle is convenient at the point of destination. Obviously cattle would have to be maintained separately until proper individual identification to the original owner of record (and PIN of origin) was established and recorded. Third party providers could enter this information through whatever system is developed and provided, whether private or USDA based.

USDA suggests that animals should be identified anytime prior to entering commerce or being commingled with a animals from other premises. Is this recommendation adequate to achieve timely traceback capabilities to support animal health programs or should a timeframe (age limit) for identifying the animals be considered? Please give the reasons for your response.

COMMENTS:

I believe the current approach is adequate for timely traceback as only those calves or adult animals entering channels of trade are likely to have opportunity for commingling or potential for disease transmission beyond local geographies.

Are the timelines for implementing the NAIS, as discussed in the Draft Strategic Plan, realistic, too aggressive (i.e., allow too little time), or not aggressive enough (i.e., do not ensure that the NAIS will be implemented in a timely manner)? Please give the reasons for your response.

COMMENTS:

I believe the timelines are reasonable, but highly dependent on funding availability for continued outreach and implementation, as well as for development of improved technologies to allow electronic tracking at the speed of commerce. The relatively rapid adoption of individual animal ID and move toward more electronic or EID applications is being driven by the market place. While this adoption initially reaches the larger or more intensively integrated portions of the industry, it trickles quickly into smaller operations or those being addressed by third party service providers.

Should requirements for all species be implemented within the same timelines, or should some flexibility be allowed? Please give the reasons for your response.

COMMENTS:

Different species may well have very different timelines for adoption considering their current exposure to the technologies of identification and necessity for individual identification in management practices inherent to a given species. Another critical impact on a given species timeline is that species' use as a human food source and/or likely importance in zoonotic disease potential.

What are the most cost-effective and efficient ways for submitting information to the database (entered via the Internet, file transfer from a herd-management computer system, mail, phone, third-party submission of data)? Does the type of entity (e.g., producer, market, slaughterhouse), the size of the entity, or other factors make some methods for information submission more or less practical, costly, or efficient? Please provide supporting information if possible.

COMMENTS:

This is a major challenge to the timeline laid out in the Draft. Entry to the database should remain widely divergent due to the diversity of operations and magnified by the multiple species involved. Yes, the type of entity does present challenges to the cost, practicality, and efficiency of the method selected. This demands that the database entry mechanism be accessible to a wide variety of records management systems whether the system is ultimately private or government (USDA) maintained. We currently have everything in use from simple notepads to highly sophisticated computerized management systems and they will all need to be incorporated to reach the 48 hour traceback goal.

We are aware that many producers are concerned about the confidentiality of the information collected in the NAIS. Given the information identified in the draft documents, what specific information do you believe should be protected from disclosure and why?

COMMENTS:

Conversations with producers concerning confidentiality seem to focus on the basic premise of not wanting their business known by others (number of cattle, size of operation, etc.) to the more critical one of not wanting to identify other business partners or where cattle are being sold, etc. The first issue is tied to long standing traditions of the US cattle industry and seem to be diminishing with growing involvement in government programs and availability of public property and tax information easily available in today's' computerized county tax appraisal systems. The second issue is more of a "trade secret" factor that should be addressed by measured access to data as required by regulatory personnel, or "protected files" to hide production or performance data not needed for regulatory or tracking purposes.

The NAIS as planned would require States, producers, and other participating entities to provide information and develop and maintain records. How could we best minimize the burden associated with these requirements? For example, should both the seller and the

buyer of a specific group of animals report the movement of the animals, or is reporting by one party adequate?

COMMENTS:

The reporting by more than one party might add to the accuracy and integrity of data, but would certainly add to the possibility for confusion. I believe the system can be designed for one party entry and maintain adequate information for tracking.

A key issue in the development of the NAIS concerns the management of animal tracking information. Animal health officials must have immediate, reliable, and uninterrupted access to essential NAIS information for routine surveillance activities and in the event of a disease outbreak. APHIS determined that this goal could best be achieved by having the data repositories managed by APHIS. The Draft Program Standards document provides for two main NAIS information repositories: The National Premises Information Repository and the National Animal Records Repository. The National Premises Information Repository would maintain data on each production and animal holding location (contact name, address, phone number, type of operation, etc.). The National Animal Records Repository would maintain animal identification and movement data.

COMMENTS:

The National Premises Information Repository should clearly be a government/USDA managed system. In our experiences to date with the SPRS and frequent address exception issues it seems there may be a highly productive partnership opportunity for USDA-APHIS to benefit from technology and relationships of the Farm Services Agency in co-managing a Premises Information database. Whether the situation is monitoring of physical locations or ultimately the disposition of funds for disease management (i.e. disposal, testing, or indemnification), FSA clearly has the mapping technology and producer contact information to facilitate the program. Some may correctly make the argument that beef cattlemen have less contact with FSA than other groups, but there has been a trend for more involvement with LAP and other programs. In pilot projects in TN and FL, FSA has shown clear advantages with geomapping capabilities and have available county locations for producer interaction. A partnership utilizing the strengths of these two government agencies (APHIS and FSA) seems to offer major benefits to the expectations contained in the draft proposal.

Recently, however, an industry-led initiative suggested a privately managed database as an alternative for the management of data on animal tracking in the NAIS. The industry group stated that a private database would ensure that the needs of both government and industry would be fulfilled, and that the flow of information throughout the NAIS would be maintained in a secure and confidential manner.

COMMENTS:

The National Animal Records Repository may well offer another opportunity for partnering---in this case between USDA-APHIS and private industry or industry organizations. The likelihood of a single species oriented industry organization being able to represent the needs of multiple species is remote, but perhaps technology providers can bridge the gap between various species and breed organizations to serve

as a third party service provider. Ultimately, regulatory agencies must have immediate and open availability of animal identification and movement data to properly manage animal disease issues. This requirement seems to challenge the concept of private databases alleviating privacy and confidentiality concerns, since the information would likely be available via FOI once the disease investigation was completed. On the other hand, when the animal industries absorb the fact that only animal identification and movement is required by regulatory agencies, perhaps some of the sensitivity over “privacy and confidentiality” will subside.

How should a private database system be funded? Please give the reasons for your response.

COMMENTS:

A “private” database should be funded by fees or costs associated with the perceived value of the database for subscribers using it. (e.g., performance or production data, genetic information, breed related information). This creates the main quandary concerning private vs. government database in my opinion. How can a value be determined for the limited amount of information required (animal ID and movement) by regulatory agencies and be paid for under the auspices of animal disease control, public health, or the public good if the information is controlled by a “private database”?

Should the NAIS allow for multiple privately managed databases? Please explain why or why not.

COMMENTS:

To deal with multiple private databases seems unmanageable and ill advised. It would be like dealing with multiple breed associations without seamless software capability and transparency of data. If a private database is selected as the way to go, I would think it should be a single contracted service in a quasi-government relationship.

Should a public (government) system be made available as well as a privately managed system so that producers would have a choice? Please give the reasons for your response.

COMMENTS:

To keep it simple, it seems one system, whether public or private is the way to. Giving a choice would only add to the potential for miscommunication and confusion.

Should a privately managed system include all species? Please give the reasons for your response.

COMMENTS:

It seems almost inconceivable that a single system will be able to track and monitor the multiple species currently involved in the SPRS considering the differences in management practices and typical movement of animals in those diverse industries

represented. I would foresee the benefit of separating systems into food animal versus others, at least.

Would either system work equally well at the State level? Please explain why or why not.

COMMENTS:

Individual states will obviously work with whatever system is ultimately successful, be it private or public. Considering the disease management and public health benefits of the described system being for the public good; Florida would prefer to interact with a USDA funded and maintained system, consistent with previous animal health programs and systems, while benefiting from advances in technology being incorporated to meet the requirement of current speeds of commerce.